

ZB# 04-64

James Hoskin

77-2-21

ZBA # **04-64** JAMES HOSKIN (AREA)
2716 COLONIAL DR. (77-2-21)

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
Granted 9-27-04



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695**

OFFICE OF THE ZONING BOARD OF APPEALS

December 16, 2004

James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-64

Dear Mr. Hoskin:

Please find enclosed two copies of the Formal Decision for your case before the Zoning Board of Appeals. Please keep these copies in your records for future reference if needed.

If you are in need of any further assistance or have any questions in this matter, please feel free to contact me at the above number.

Very truly yours,

Myra Mason, Secretary to the
NEW WINDSOR ZONING BOARD

MLM:mlm

cc: Michael Babcock, Building Inspector

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-2-21

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING

JAMES HOSKIN, JR.

AREA

CASE #04-64

WHEREAS, James Hoskin, Jr. , owner(s) of 2716 Colonial Drive, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an 16 ft. Rear Yard Setback for proposed attached 20 ft. X 22 ft. rear deck at 2716 Colonial Drive in an R-3 Zone (77-2-21)

WHEREAS, a public hearing was held on September 27, 2004 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor of or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties.
 - (b) In constructing the proposed deck, the applicant will not remove any trees or substantial vegetation.
 - (c) The deck will not cause the ponding or collection of water or the diversion of water drainage.

- (d) The deck will be similar in size and appearance to other decks in the neighborhood.
- (e) The deck will not be built on top of, nor interfere with, any easements including, but not limited to, water, sewer and electric.
- (f) The deck will be adjacent to the existing residence so that without the deck a person exiting that residence would be likely to sustain serious physical injury.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

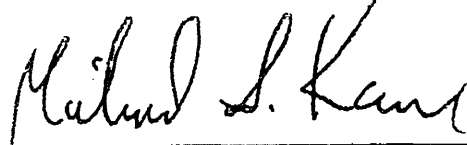
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 16 ft. Rear Yard Setback for proposed attached 20 ft. X 22 ft. rear deck at 2716 Colonial Drive in an R-3 Zone (77-2-21) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: September 27, 2004

A handwritten signature in cursive script, reading "Michael S. Kane", is written over a horizontal line.

Chairman

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 8/2/2004

APPLICANT: James Hoskin
2716 Colonial Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 7/29/2004

FOR : James Hoskin

LOCATED AT: 2716 Colonial Drive

ZONE: Sec/Blk/ Lot: 77-2-21

DESCRIPTION OF EXISTING SITE: Existing one-family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed attached 20' x 22' rear deck will not meet minimum 30' rear yard set-back.

COPY


BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-3 USE: Bulk Tables – See approved site plan for Mt. Airy Estates

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD: 30'

14'

16'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

04-64

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

JUL 29 2004

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit #: 2004-1051

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

James Hoskin + Kathryn C. Brown

Owner of Premises

Address 2716 Colonial Drive

Phone # (845)567-3392

Mailing Address 2716 Colonial Drive New Windsor NY 12553

Fax #

Name of Architect SELF

Address Phone

Name of Contractor

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer.
(Name and title of corporate officer)

1. On what street is property located? On the N side of COLONIAL DRIVE
(N,S,E or W)
and 800 feet from the intersection of COLONIAL AND INDEPENDANCE
2. Zone or use district in which premises are situated New Windsor Township Is property a flood zone? Y N X X
3. Tax Map Description: Section 77 Block 2 Lot 21
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy Single Family Dwelling b. Intended use and occupancy DECK OUTSIDE REAR OF HOUSE
5. Nature of work (check if applicable) ☐ New Bldg. ☒ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other
6. Is this a corner lot? NO
7. Dimensions of entire new construction. Front 22' Rear 22 Depth 20 Height 2-4' No. of stories 1
8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost \$2500 Fee \$50.00

CR H-1181

PAID

ZONING BOARD

ok'd by
MR. Horkin

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

2716 Colonial Drive, New Windsor, NY 12553

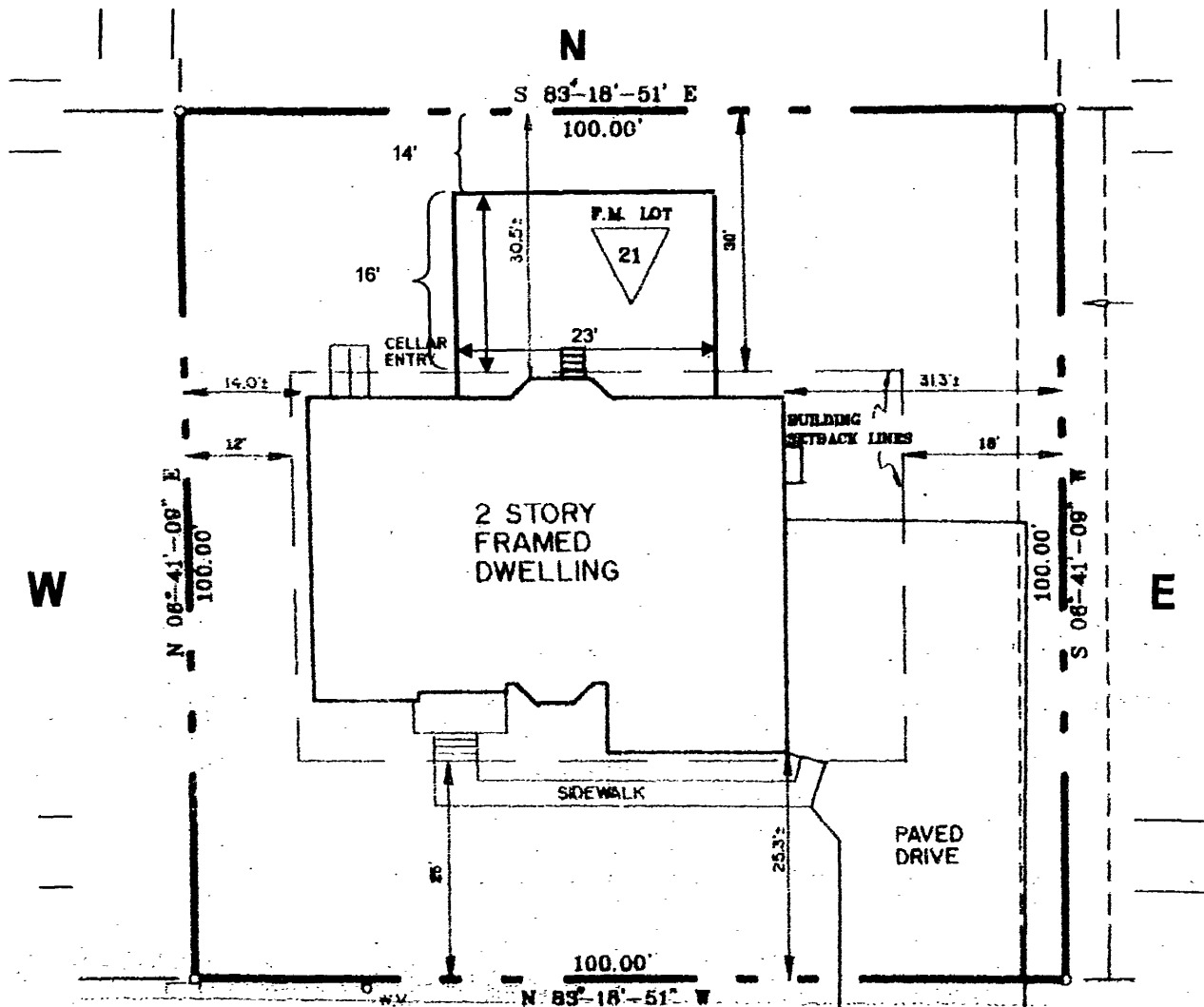
(Owner's Signature)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



(PRO.)

G

G

K

112.4	100	100	21 100	20 100	19 100	18 100	17 100	16 100	15 100
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Cherry Tree STREET Way

112.4 1 (1) 101	100 2 (2) 100	100 3 (3) 100	100 4 (4) 100	100 5 (5) 100	100 6 (6) 2 100	100 7 (7) 100	100 8 (8) 100	100 9 (9) 100	100 10 (10) 100
(27) 27 112.4	(26) 26 100	(25) 25 100	(24) 24 100	(23) 23 100	(22) 22 100	(21) 21 100	(20) 20 100	(19) 19 100	(18) 18 100

H

Colonial Drive STREET

113.4 1 ● (1) 101.9	100 2 ● (2) 100	100 3 ● (3)	100 4 ● (4)	100 5 ● (5)	100 6 ● (6) 6	100 7 ● (7)	100 8 ● (8)	100 9 ● (9)	100 10 ● (10)	100 11 ● (11)
166.9 (28) 28 221.9	100 (27) ● 27 100	(26) ● 26 100	(25) ● 25 100	(24) ● 24 100	(23) ● K 23 100	(22) ● 22 100	(21) ● 21 100	(20) ● 20 100	(19) ● 19 100	

G

Liberty Ridge STREET

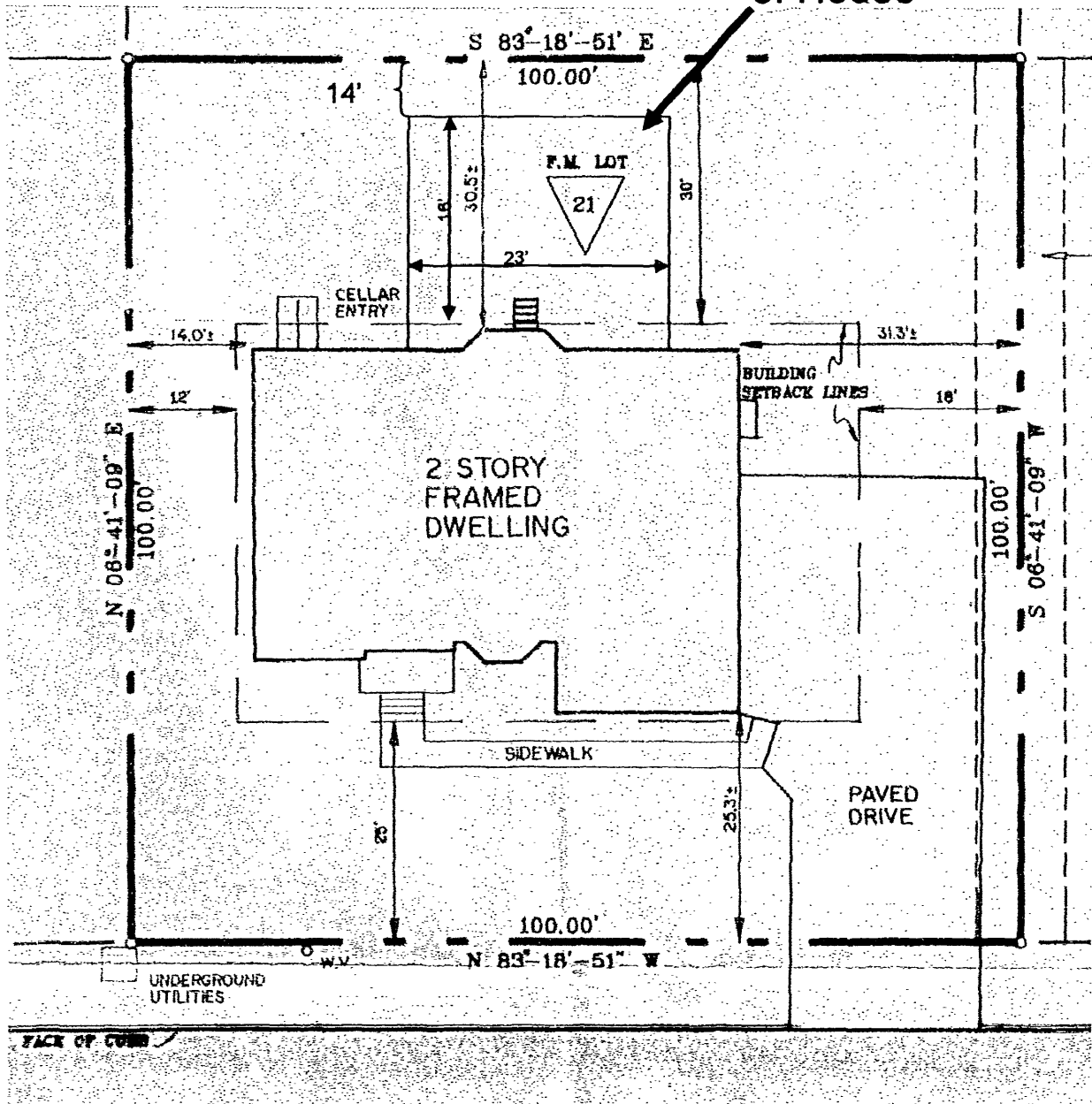
79.6 1 (1) 125.4	100 2 (2) 100	100 3 (3) 100	100 4 (4) 7 100	100 5 (5) 100	100 6 (6) 100	100 7 (7) 100	100 8 (8) 100	100 9 (9) 100	100 10 (10) 100
(18) 18 160.3	(17) 17 100	(16) 16 100	(15) 15 100	(14) 14 100	(13) 13 100	(12) 12 100	(11) 11 100	(10) 10 100	(9) 9 100

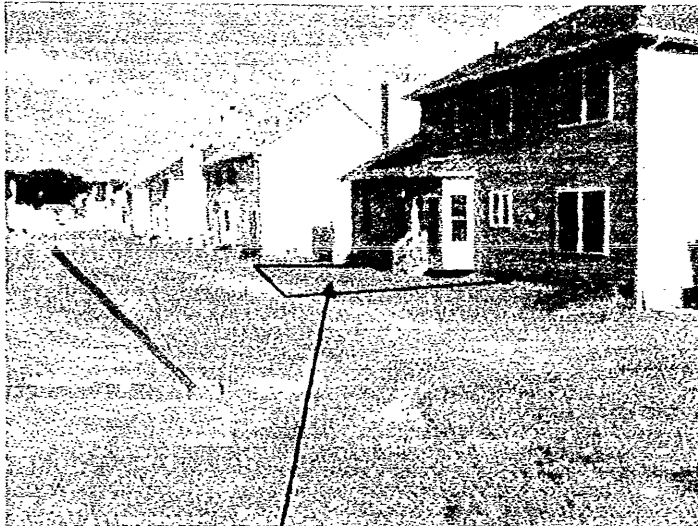
125.1 10 (1) 108	122.7 10 (1) 108
126.2 9 (2) 100	103.8 9 (2) 100
100.5 8 (3) 100	100 8 (3) 100

James Hoskin and Kathryn Brown

2716 Colonial Drive
New Windsor, NY 12553

Deck on rear
of House





**James Hoskin and
Kathryn Brown**

2716 Colonial Drive
New Windsor, NY 12553



Deck Variance for
2716 Colonial Drive

Property Line in Red





RESULTS OF Z.B.A. MEETING OF: Sept. 27, 2004

PROJECT: James Nashin ZBA # 04-64
P.B.#

P.B.# _____

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M)_____ **S)**_____ **VOTE: A**____ **N**_____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y_____N_____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M)_____S)_____ VOTE: A____N____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

APPROVED: M)____S)____ VOTE: A____N____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M)___ S)___ VOTE: A___ N___

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ✓
VARIANCE APPROVED: MRV S) MC VOTE: A 4 N 0.

LEVIN	
KUCY	
RIVERA	A
MC DONALD	A
REIS	A
REIS	
KANE	A

CARRIED: Y ✓ N .

[illegible]

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: OCTOBER 18, 2004
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 197.00 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #04-64

NAME & ADDRESS:

**James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553**

THANK YOU,

MYRA

L.R.10-18-04



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #04-64 TYPE: AREA

APPLICANT Name & Address:

James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553

TELEPHONE: 567-3392

RESIDENTIAL:	\$ 50.00	CHECK # <u>1184</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: RESIDENTIAL \$300.00 CHECK # 1185

~~~~~

| <u>DISBURSEMENTS:</u>        |                | <u>MINUTES</u><br><u>\$5.50 / PAGE</u> | <u>ATTORNEY</u><br><u>FEE</u> |
|------------------------------|----------------|----------------------------------------|-------------------------------|
| PRELIMINARY:                 | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| 2 <sup>ND</sup> PRELIMINARY: | ___ PAGES      | \$ _____                               | \$ _____                      |
| PUBLIC HEARING:              | <u>3</u> PAGES | \$ <u>16.50</u>                        | \$ <u>35.00</u>               |
| PUBLIC HEARING:              | ___ PAGES      | \$ _____                               | \$ _____                      |
| TOTAL:                       |                | \$ <u>33.00</u>                        | \$ <u>70.00</u>               |

~~~~~

ESCROW POSTED: \$ 300.00
LESS: DISBURSEMENTS: \$ 103.00

AMOUNT DUE: \$ _____

REFUND DUE: \$ 197.00

Cc:

L.R. 10-18-04

JAMES HOSKIN, JR. (04-64)

MR. KANE: Request for 16 ft. rear yard setback for proposed attached 20 ft. x 22 ft. rear deck at 2716 Colonial Drive in an R-3 zone.

Mr. Hoskin appeared before the board for this proposal.

MR. KANE: How you doing?

MR. HOSKIN: Good.

MR. KANE: Tell us again what you want to do.

MR. HOSKIN: Looking to just put a deck on right off the back side of the house, there's a sliding door off the back and the, I just want to extend it from there. There's a bay window at that spot and that will go right off centered around the bay window somewhat. The variance is from the end of the house to the property line is already 30 feet so the variance is for the depth of the deck, it will go out 16 from the bay window go out 16 feet so from the bulk of the house it's about 18 1/2 feet out so that's the variance, that's the need for a variance.

MR. KANE: Cutting down any trees, substantial vegetation?

MR. HOSKIN: No.

MR. KANE: Creating any water hazards or runoffs?

MR. HOSKIN: No, sir.

MR. KANE: Deck's similar in size and nature to other decks in your area?

MR. HOSKIN: Yes, actually, I have been on a couple and pulled some ideas from those.

MR. MC DONALD: There's no easement behind you?

MR. HOSKIN: No, there's an easement to the one side to the right of the property.

MR. KANE: Deck is going to take the place, how far off the ground is the deck going to be?

MR. HOSKIN: It's 28 inches at the house and it will go out to about 32 or 33 inches.

MR. KANE: You'll be removing the stairs from the rear door on your house and the deck will take the place of those stairs?

MR. HOSKIN: Well, I'll have two stairs off the deck also.

MR. KANE: Right, as egress from your home?

MR. HOSKIN: Yes, sir.

MR. KRIEGER: The first thing you hit is the deck when you go out the door?

MR. HOSKIN: It will be straight and level when you step out.

MR. MC DONALD: This red line is the property line?

MR. HOSKIN: Yes, sir.

MR. KANE: Any easements?

MR. HOSKIN: Not in the back, on the side, on the right side.

MR. KANE: At this point, I will open it up to the public and ask if there's anybody that wishes to speak.

You can vote no. Now we'll close the public portion of the hearing and ask Myra how many mailings we had?

MS. MASON: On September 9, I mailed out 70 addressed envelopes and had no response.

MR. KANE: We'll close that, okay.

MR. KRIEGER: If there was no deck, somebody exiting the house would fall a considerable distance to the ground?

MR. HOSKIN: It's about 28 inches.

MR. KANE: You could sustain an injury?

MR. KRIEGER: Enough to sustain serious physical injury?

MR. HOSKIN: If you were unaware of it when you were stepping out.

MR. RIVERA: Make a motion that we grant James Hoskin, Jr. his requested 16 foot rear yard setback for proposed attached 20 foot by 22 rear deck at 2716 Colonial Drive.

MR. MC DONALD: Second it.

MR. HOSKIN: It doesn't go back that far when I put it out exactly so it's a little bit underneath that.

MR. MC DONALD: This will cover it.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE

JAMES HOSKIN, JR. (04-64)

MR. REIS: Our third preliminary meeting James Hoskin, Jr.

MR. HOSKIN: I'm looking to put a deck in on the back of the property and the variance is for within the 30 feet of the property line. It's actually going to be about 14 feet from the property line, that's what the variance is required.

MR. REIS: You're Mr. Hoskin?

MR. HOSKIN: Yes. If you look on the backside of the permit it has a little outline of where the deck is right off the back of the bay window there.

MR. REIS: Is there any deck there now, Mr. Hoskin?

MR. HOSKIN: No. It's bear.

MR. REIS: The steps are there?

MR. HOSKIN: The steps are there, yes. The walk out goes straight onto the deck. There won't be a step down or anything.

MR. MINUTA: What type of deck will this be?

MR. HOSKIN: It's just a --

MR. MINUTA: Pressure treated.

MR. HOSKIN: Veranda for the actual decking material. It will be pressure treated for the structure but for the decking itself it will be a Veranda look, just the gray one, noted red. There's some pictures, it's pretty much clear cut.

MR. KRIEGER: How far is the back of the house right now from the property line?

MR. HOSKIN: It's 30 feet from the property line. So there's nothing in the back of the house without needing a variance.

MR. KRIEGER: Without needing a variance, right.

MR. REIS: Gentlemen, this is up in the Reserve. We've had this type of situation come up before. All right, there's no easements or right-of-ways going through the back of your yard that would encumber you?

MR. HOSKIN: No. Actually I got a question on the easement, there's, on the east side of the property line, which is way off, I'm not, it says there's a walkway.

What does that mean as far as this property? Is this like a 5-foot walkway? It's not on what I have drawn. I do have a question on what that means on the actual.

MR. MINUTA: Officially, typically that would be for the community there would be a 5-foot walkway that would be part of that if they decide to put sidewalks in at some time.

MR. HOSKIN: Okay. Right now there's, it's just --

MR. KRIEGER: Reservation of property for possible future use.

MR. HOSKIN: No fence or anything can go back there?

MR. REIS: Correct. So to accomplish what you need any size deck would require a variance basically?

MR. HOSKIN: Yes, sir.

MR. REIS: This deck would not be much larger or smaller than other decks in the general area?

MR. HOSKIN: Actually I've been on a couple of them, they've all been 16-foot out

because that's the length that they allow or it's convenient. So that's the distance from the house most go.

MR. REIS: Without a deck or some support there walking out of the rear of your home would create a hazard, so you do need something?

MR. HOSKIN: Yes, sir.

MR. REIS: We can see the picture is very evident but again just for the record because there's no trees.

MR. HOSKIN: No vegetation will be taken out.

MR. REIS: Any questions?

MR. MINUTA: Just a comment, I'd like to thank you for the presentation you provided it's very, very good.

MR. HOSKIN: Thanks.

MR. REIS: Accept a motion?

MR. RIVERA: Did you cover the easements?

MR. REIS: It was covered.

MR. RIVERA: Make a motion,

Mr. Chairman --

August 23, 2004

19

MR. REIS: Please.

MR. RIVERA: -- we setup Mr. James Hoskin, Jr. for his requested 16-foot rear yard setback for a proposed attached 20-foot by 22 rear deck at 2716 Colonial Drive.

MR. MINUTA: Second.

ROLL CALL:

MS. GANN: Yes.

MS. LOCEY: Yes.

MR. RIVERA: Yes.

MR. MINUTA: Yes.

MR. REIS: Yes.

MR. REIS: Any points anybody, any questions? I'll accept a motion to adjourn.

MR. RIVERA: So moved.

MR. MINUTA: Second.

(Time noted: 7:50 p.m.)

*

*

*

-----X

JAMES HOSKIN, JR.

#04-64

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 9TH day of **SEPTEMBER**, 2004, I compared the 70 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

9th day of September, 2004

Change & Conflict

Notary Public

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6079319
Commission Expires April 22, 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 04-64

Request of JAMES HOSKIN, JR.

for a VARIANCE of the Zoning Local Law to Permit:

Request for 16 ft. Rear Yard Setback for proposed attached 20 ft. X 22 ft. rear deck at 2716 Colonial Drive in an R-3 Zone (77-2-21)

**PUBLIC HEARING will take place on SEPTEMBER 27, 2004
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

August 30, 2004

James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553

Re: 77-2-21 ZBA#: 04-64

Dear Mr. Hoskin:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wile, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

Sections 64 & 77 (various)
Mt. Airy Estates, Inc.
c/o Sarna Enterprises
15 Engle Street – Suite 100
Englewood, NJ 07631

77-1-15
Brian & Maria Lewis
2808 Cherry Tree Way
New Windsor, NY 12553

77-1-18
Donald & Karlene Mitchell
2814 Cherry Tree Way
New Windsor, NY 12553

77-1-21
Denis & Jacqueline Allen
2820 Cherry Tree Way
New Windsor, NY 12553

77-2-3
Donald & Paulette Easterlin
2821 Cherry Tree Way
New Windsor, NY 12553

77-2-6
Nolan & Madeline Padilla
2815 Cherry Tree Way
New Windsor, NY 12553

77-2-9
Antonino & Maria Tommasi
2809 Cherry Tree Way
New Windsor, NY 12553

77-2-12
Ramon Cardona, Jr.
Ramon Cardona, Sr.
2803 Cherry Tree Drive
New Windsor, NY 12553

77-2-18
Laverne Bey
2710 Colonial Drive
New Windsor, NY 12553

77-2-22
Brian & Carole McCue
2718 Colonial Drive
New Windsor, NY 12553

77-1-13
Luis Diaz
Christine Lohrfink Diaz
2804 Cherry Tree Way
New Windsor, NY 12553

77-1-16
Junior Gonsalves
2810 Cherry Tree Way
New Windsor, NY 12553

77-1-19
Donald & Kathleen DeMatteo
2816 Cherry Tree Way
New Windsor, NY 12553

77-1-22
James Wallace
Stacey Miller
2822 Cherry Tree Way
New Windsor, NY 12553

77-2-4
Benedetto & Kelly Allegra
2819 Cherry Tree Way
New Windsor, NY 12553

77-2-7
Carmelo & Lydia Taverna
2813 Cherry Tree Way
New Windsor, NY 12553

77-2-10
Matthew & Cheri Elliott
2807 Cherry Tree Way
New Windsor, NY 12553

77-2-16
Maria Stewart
2806 Colonial Drive
New Windsor, NY 12553

77-2-19
Mark & Patricia Mayberry
2712 Colonial Drive
New Windsor, NY 12553

77-2-23
Emanuel & Anelyn Suazo
2720 Colonial Drive
New Windsor, NY 12553

77-1-14
Eric & Linda Spisany
2806 Cherry Tree Way
New Windsor, NY 12553

77-1-17
Richard & Josephine Romano
2812 Cherry Tree Way
New Windsor, NY 12553

77-1-20
Eduardo & Elizabeth Guerrero
2818 Cherry Tree Way
New Windsor, NY 12553

77-2-2
Richard & Laura Smacchia
2823 Cherry Tree Way
New Windsor, NY 12553

77-2-5
John & Eva Lee
2817 Cherry Tree Way
New Windsor, NY 12553

77-2-8
Daniel & Lydia Bonilla
2811 Cherry Tree Way
New Windsor, NY 12553

77-2-11
Antonio & Laura Nastro
2805 Cherry Tree Way
New Windsor, NY 12553

77-2-17
Christopher & Jennifer Bautista
2708 Colonial Drive
New Windsor, NY 12553

77-2-20
John & Nicole White
2714 Colonial Drive
New Windsor, NY 12553

77-2-24
Craig & Valerie Barnes
2722 Colonial Drive
New Windsor, NY 12553

77-2-25

Dion & Joan Edwards
2724 Colonial Drive
New Windsor, NY 12553

77-6-3

Elliot Gaztambide, Jr.
Jennifer Rivera Gaztambide
2723 Colonial Drive
New Windsor, NY 12553

77-6-6

Brian & Dianna McLean
2717 Colonial Drive
New Windsor, NY 12553

77-6-9

James Porter
Leo Carmelle Mathelier
2711 Colonial Drive
New Windsor, NY 12553

77-6-12

Dorcas Peralta
2705 Colonial Drive
New Windsor, NY 12553

77-6-20

David & Ellen Olsen
2612 Liberty Ridge
New Windsor, NY 12553

77-6-23

Edward & Regina Davis
2618 Liberty Ridge
New Windsor, NY 12553

77-6-26

Mark Monte
Jocelyn Pacatang
2624 Liberty Ridge
New Windsor, NY 12553

77-7-1

Robert & Alma Aponte
2625 Liberty Ridge
New Windsor, NY 12553

77-7-4

Ryan & Lisa Doyle
2619 Liberty Ridge
New Windsor, NY 12553

77-2-26

Robert & Zoraida Marquez
2726 Colonial Drive
New Windsor, NY 12553

77-6-4

Joseph & Jodi Antonacci
2721 Colonial Drive
New Windsor, NY 12553

77-6-7

Harvey Mathis
Lydia Alvarez
2715 Colonial Drive
New Windsor, NY 12553

77-6-10

Neal & Theresa Iaquina
2709 Colonial Drive
New Windsor, NY 12553

77-6-18

Terry Lee Armstrong, Sr.
Shirlyn Manzano Armstrong
2608 Liberty Ridge
New Windsor, NY 12553

77-6-21

Francisco Soto, Jr.
Cynthia Diaz
2614 Liberty Ridge
New Windsor, NY 12553

77-6-24

Irina Simknovich
2620 Liberty Ridge
New Windsor, NY 12553

77-6-27

Charles Grady
Emily Smith
2626 Liberty Ridge
New Windsor, NY 12553

77-7-2

Amunatequi & Ana Rosario
2623 Liberty Ridge
New Windsor, NY 12553

77-7-5

Wilson Ventura
Ana Arino Ventura
2617 Liberty Ridge
New Windsor, NY 12553

77-6-2

Rudolph Trocard
2725 Colonial Drive
New Windsor, NY 12553

77-6-5

Barry & Joanne Washington
2719 Colonial Drive
New Windsor, NY 12553

77-6-8

Michael & Michelle Thomas
2713 Colonial Drive
New Windsor, NY 12553

77-6-11

Amir & Farida Islam
2707 Colonial Drive
New Windsor, NY 12553

77-6-19

Yelena Lakhman
2610 Liberty Ridge
New Windsor, NY 12553

77-6-22

Jeri & Cheryl Kocik
2616 Liberty Ridge
New Windsor, NY 12553

77-6-25

Joseph & Victoria Pecoraro
2622 Liberty Ridge
New Windsor, NY 12553

77-6-28

Arjun Singh
2628 Liberty Ridge
New Windsor, NY 12553

77-7-3

Nancy Weber
2621 Liberty Ridge
New Windsor, NY 12553

77-7-6

Kenneth & Annette McTigue
2615 Liberty Ridge
New Windsor, NY 12553

77-7-7

John & Marilyn Kresevic
2613 Liberty Ridge
New Windsor, NY 12553

77-7-8

Richard & Rose Marie Rose
2611 Liberty Ridge
New Windsor, NY 12553

77-7-9

Daniel & Diana Morales
2609 Liberty Ridge
New Windsor, NY 12553

77-7-11

Sanilda & Patrice Wallace
2504 Constitution Way
New Windsor, NY 12553

77-7-12

Jijy & Susan James
2506 Constitution Way
New Windsor, NY 12553

77-7-13

Edward & Karen D'Esposito
2508 Constitution Way
New Windsor, NY 12553

77-7-14

Alicio & Michele Valle
2510 Constitution Way
New Windsor, NY 12553

77-7-15

Earl & Latoya Rattray
2512 Constitution Way
New Windsor, NY 12553

77-7-16

Keith Holloway
2514 Constitution Way
New Windsor, NY 12553

77-7-17

Christine & Kevin Brelesky
2516 Constitution Way
New Windsor, NY 12553



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

September 9, 2004

James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-64

Dear Mr. Hoskin:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Sentinel Newspaper for publication. **PLEASE NOTE: The Sentinel will bill you directly for this add. This is not included in the escrow you posted upon application.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

2716 Colonial Drive
New Windsor, NY

is scheduled for the September 27, 2004 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 08-20-2004

FOR: ESCROW 04-64

FROM: JAMES HOSKIN, JR.

2716 COLONIAL DRIVE

NEW WINDSOR, NY 12553

CHECK NUMBER: 1185

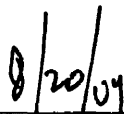
TELEPHONE: 567-3392

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME


DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

ZBA #04-64
Application fee

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#861-2004

08/20/2004

Hoskin JR., James Rance

Received \$ 50.00 for Zoning Board Fees, on 08/20/2004. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk



RESULTS OF Z.B.A. MEETING OF: August 23, 2004

PROJECT: James Harkin

ZBA # 04-64
P.B.#

P.B.#

USE VARIANCE: NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____
REIS _____
MINUTA _____
KANE _____

CARRIED: Y____N____

PUBLIC HEARING: M)_____ **S)**_____ **VOTE: A**____ **N**_____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

NEGATIVE DEC: M)_____S)_____ VOTE: A___ N___

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y_____ N_____
REIS _____
MINUTA _____
KANE _____

APPROVED: M)____S)____ VOTE: A____ N____

GANN _____
LOCEY _____
RIVERA _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
MINUTA _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) RV S) MN VOTE: A___ N___

GANN	A
LOCEY	A
RIVERA	A
MCDONALD	
REIS	A
MINUTA	A
KANE	

CARRIED: Y_____ N_____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES

VARIANCE APPROVED: M)___ S)___ VOTE: A___ N___

GANN	
LOCEY	
RIVERA	
MC DONALD	
REIS	
MINUTA	
KANE	

CARRIED: Y_____N_____.

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is a double-line border at the top and bottom edges. The paper appears to be from a notebook or a set of legal pads.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4695

ZONING BOARD OF APPEALS

August 20, 2004

James Hoskin, Jr.
2716 Colonial Drive
New Windsor, NY 12553

SUBJECT: REQUEST FOR VARIANCE #04-64

Dear Mr. Hoskin:

This letter is to inform you that you have been placed on the August 23, 2004 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

2716 Colonial Drive
New Windsor, NY

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

Also called

TOWN OF NEW WINDSOR **REQUEST FOR NOTIFICATION LIST**

DATE: 08-20-2004 PROJECT NUMBER: ZBA# 04-64 P.B. # _____

APPLICANT NAME: JAMES HOSKIN, JR.

PERSON TO NOTIFY TO PICK UP LIST:

JAMES HOSKIN, JR
2716 COLONIAL DRIVE
NEW WINDSOR, NY 12553

TELEPHONE: 567-3392

TAX MAP NUMBER: SEC. 77 BLOCK 2 LOT 21
SEC. _____ BLOCK _____ LOT _____
SEC. _____ B LOCK _____ LOT _____

PROPERTY LOCATION: 2716 COLONIAL DRIVE
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 1186

TOTAL CHARGES: _____

8/23



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NY 12553
(845) 563-4615 (MYRA MASON)



ZONING BOARD PROCEDURES

PLEASE READ PAGE ONE AND TWO OF THIS PACKAGE AND SIGN PAGE TWO IT EXPLAINS THE PROCEDURE TO BE FOLLOWED FOR YOUR APPLICATION.

PLEASE COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO "THE TOWN OF NEW WINDSOR" AS FOLLOWS:

RESIDENTIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$ 50.00.
*ESCROW:	\$300.00.
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00.

MULTI-FAMILY: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

COMMERCIAL: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

INTERPRETATION: (Three Separate Checks Please)

APPLICATION FEE:	\$150.00
*ESCROW:	\$500.00
** <u>DEPOSIT</u> FOR PUBLIC HEARING LIST:	\$ 25.00

YOU WILL THEN BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING".

*

ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

THE APPLICANT WILL BE BILLED DIRECTLY FOR THE PUBLIC HEARING ADVERTISEMENT IN THE "SENTINEL NEWSPAPER"

**

LIST OF PROPERTY OWNERS
WITHIN 500 FT. RADIUS OF
PROPERTY IN QUESTION:

APPROXIMATE COST FOR
PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES
IS \$1.00 EA. ADDITIONAL
NAME

1. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THIS WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
2. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.37 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

NOTE:

IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.

**** MUST READ AND SIGN ****

I UNDERSTAND THAT I WILL BE BILLED DIRECTLY FOR MY "LEGAL NOTICE" TO BE PUBLISHED IN THE SENTINEL NEWSPAPER FOR MY PUBLIC HEARING....(this charge is not deducted from your escrow posted).

James R. Hook
SIGNATURE

2 Aug 2004
DATE

NOTE:

THE ZBA MEETS ON THE 2ND AND 4TH MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.

PAGE 2

COMPLETE THIS PAGE ☐

04-64



TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

_____ Date _____ Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. Owner Information: Phone Number: (845) 567-3392
James Hoskin or Kathryn Brown Fax Number: ()
(Name)
2716 Colonial Drive, New Windsor NY 12553
(Address)

II. Applicant: James Hoskin Phone Number: (845) 567-3392
(Name) Fax Number: ()
2716 Colonial Drive, New Windsor, NY 12553
(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: ()
N/A Fax Number: ()
(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/: Phone Number ()
Fax Number: ()
OWNER
(Name)

(Address)

V. Property Information:
Zone: R3 Property Address in Question: 2716 Colonial Drive, New Windsor, NY 12553
Lot Size: 0.23 Acre Tax Map Number: Section 77 Block 2 Lot 21
a. What other zones lie within 500 feet? N/A
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? OCT 03
d. Has property been subdivided previously? NO If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF
SUBMITTAL.

04-64

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	30'	14'	16'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

*Residential Districts Only

**Non-Residential Districts Only

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

The addition of the deck will not create a detriment to nearby property. This is a recently constructed home. No trees or other environmental items will be destroyed. The home is already built w/i 30' of the property line, therefore, any construction will require a variance.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

04-64

COMPLETE THIS PAGE ☐

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- + copies
- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
 - ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
 - ☐ Copies of signs with dimensions and location.
 - ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
 - ☐ One in the amount of \$ 300.00 or 500.00 , (escrow)
 - ☐ One in the amount of \$ 50.00 or 150.00 , (application fee)
 - ☐ One in the amount of \$ 25.00 , (Public Hearing List Deposit)
 - ☐ Photographs of existing premises from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER – PLEASE SUBMIT THREE(3) SETS OF THE PHOTOS.)

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

12th day of August 2007.

James R. Hoskin Jr
Owner's Signature (Notarized)

JAMES R. HOSKIN JR
Owner's Name (Please Print)

Deborah Green
Signature and Stamp of Notary

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 2009

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

04-64